

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

November 19, 2009

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF No.:09OD-134

Oahu

Grant of a Perpetual, Non-Exclusive Easement and Issuance of a Construction and Management Right-of-Entry to the City and County of Honolulu for Sewer Main Purposes; Waikiki, Honolulu, Oahu; Tax Map Key: (1) 2-3-037: 002, (1) 2-3-036: 036, (1) 2-3-034: 033, (1) 2-7-036: 001 and 005 and portion of Ala Wai Canal

APPLICANT:

City and County of Honolulu

LEGAL REFERENCE:

Section 171-95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of State lands situated at Waikiki, Honolulu, Oahu identified by Tax Map Key: (1) 2-3-037: 002, (1) 2-3-036: 036, (1) 2-3-034: 033, (1) 2-7-036: 001 and 005; as shown on the attached maps labeled Exhibit A.

AREA:

To be determined.

ZONING:

State Land Use District:  
City and County of Honolulu

Urban  
LUO: Preservation/Public Precinct

TRUST LAND STATUS:

Section 5(a) and 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:

YES \_\_\_\_\_ NO   x  

CURRENT USE STATUS:

Encumbered by Governor's Executive Order Nos. 569, 1348 and 1428, Set Aside to the City and County of Honolulu for Public Park Purposes

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain and repair a right-of-way over, under and across State-owned land for sewer main purposes.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Final Environmental Assessment for the subject project was published in the OEQC's Environmental Notice on August 23, 2007 with a finding of no significant impact (FONSI).

DCCA VERIFICATION:

Not applicable. Government agency

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost;
- 2) Process and obtain subdivision at Applicant's own cost.

REMARKS:

The City and County of Honolulu is requesting sewer line easements necessary to finalize the proposed installation of a new seventy-two (72) inch sewer main, named the Beachwalk Waste Water Pump Station and Force Main System Phase 1. The subject request involves parcel S-2 through S-8, as shown on Exhibit A to be installed along the Ala Wai Park and Field, Ala Wai Promenade and Canal, extending to the Ala Moana Park. The work project requires micro-tunneling portions of the line and a traditional open trench method for the boring shafts. The subject sewer line project will eventually connect to a separate work project named the Beachwalk Waste Water Pumping Station in Waikiki.

The completion of the subject sewer main project is necessary to reduce and prevent the risk of wastewater spills in the Beachwalk Waste Water Pumping Station tributary area; which includes Waikiki.

According to staff's research, the subject tax map parcels required to complete the sewer main project are currently set aside by Governor's Executive Order Nos. 569, 1348 and 1428.

Due to a finding of no significant impact (FONSI) published in the OEQC's Environmental Notice on August 23, 2007, staff did not solicit comments from any governmental agencies.

RECOMMENDATION: That the Board:


1. Subject to the Applicant fulfilling all of the Applicant Requirements listed above, authorize the issuance of a perpetual non-exclusive easement to the City and County of Honolulu covering the subject area for sewer main purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - A. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;
  - B. Review and approval by the Department of the Attorney General;  
and
  - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

2. Issuance of a construction and management right-of-entry to the City and County of Honolulu covering the subject area for sewer main purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - A. The standard terms and conditions of the most current right-of-entry document form, as may be amended from time to time and
  - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

  
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Timmy Chee  
Land Agent

APPROVED FOR SUBMITTAL:

  
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Laura H. Thielen, Chairperson



(1) 2-7-036:001 & 005

Ala Wai Canal

(1) 2-3-034:033

Ala Wai Canal

(1) 2-3-036:036

(1) 2-3-037:002

City's  
Land

**EXHIBIT "A"**

